

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

YOLANDA IRVING, individually and as the natural parent and guardian of JALEN IRVING, JUWAN HARRINGTON, CYDNEEA HARRINGTON, KENYA WALTON individually and as the natural parent and guardian of ROBERT WHITLEY, ZIYEL WHITLEY, DYAMOND WHITLEY, KAMISHA WHITLEY, and NANETTA GRANT as the natural parent and guardian of ZIQUIS GRANT,

Plaintiffs,

v.

THE CITY OF RALEIGH, Officer OMAR I. ABDULLAH, Sergeant WILLIAM ROLFE, Officer RISHAR PIERRE MONROE, Officer JULIEN DAVID RATTELADE, and Officer MEGHAN CAROLINE GAY, in their individual capacities, Chief of Police ESTELLA PATTERSON and City Manager MARCHELL ADAMS-DAVID, in their official capacities.

Defendants.

Case No. 5:22-CV-00068-BO

PLAINTIFFS' MOTION TO COMPEL DEFENDANTS TO PRODUCE TEXT COMMUNICATIONS

Pursuant to Rule 37 of the Federal Rules of Civil Procedure, Plaintiffs hereby move this Court to compel Defendants to produce documents as follows:

The complete text message chat and thread between the VICE officer Defendants related to controlled buys involving Officer Omar Abdullah and his informant Aspirin.

In support thereof, Plaintiffs rely on the contemporaneously filed Memorandum in Support of Motion to Compel and attached exhibits.

WHEREFORE, Plaintiffs respectfully asks this Court to compel Defendant City of Raleigh to produce documents, and respectfully asks this Court to issue sanctions.

Respectfully submitted, this the 22nd day of March 2023,

/s/ Abraham Rubert-Schewel

Abraham Rubert-Schewel

(N.C. Bar # 56863)

TIN FULTON WALKER & OWEN, PLLC

119 E. Main Street

Durham, NC 27701

Tel: (919) 451-9216

schewel@tinfulton.com

/s/ Emily Gladden

Emily D. Gladden

TIN FULTON WALKER & OWEN, PLLC

State Bar No.: 49224

204 N. Person Street

Raleigh, NC 27601

Telephone: (919) 720-4201

Facsimile: (919) 400-4516

Egladden@tinfulton.com

/s/ Nichad Davis

Nichad Davis

(N.C. Bar # 56297)

TIN FULTON WALKER & OWEN, PLLC

119 E. Main Street

Durham, NC 27701

Tel: (919) 451-9216

ndavis@tinfulton.com

/s/ Ian Mance

Ian A. Mance

N.C. Bar No. 46589

EMANCIPATE NC

Post Office Box 309

Durham, NC 27702

Tel: (828) 719-5755

ian@emancipatenc.org

/s/ Elizabeth Simpson

Elizabeth G. Simpson

N.C. Bar No. 41596

EMANCIPATE NC

Post Office Box 309

Durham, NC 27702

Tel: (919) 682-1149

elizabeth@emancipatenc.org